



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:
FLICK

Serial No. 09/993,930

Confirmation No. 5501

Filing Date: November 16, 2001

For: REMOTE CONTROL SYSTEM FOR AN
ACCESS DOOR HAVING REMOTE
TRANSMITTER VERIFICATION

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) Examiner Matsuichiko
Shimizu
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) Art Unit: 2635
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) Attorney Docket: 16107N
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Assignee, Omega Patents, L.L.C., having a mailing address of 5326 Presley Place, Douglasville, GA 30135, verifies through its duly authorized representative that it is the owner of all right, title and interest in the instant United States Patent Application (hereinafter "the instant patent application") and has remained owner of all right, title and interest from the time of filing the original Assignment in parent application Ser. No. 09/993,930 filed November 16, 2001, to the present. The Assignment was recorded in the parent patent application on August 12, 2002, at Reel 013138, Frame 0919.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the '930 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 and § 173 of U.S. Patent No. 6,140,938, and as the term of said '938 patent is presently shortened by any Terminal Disclaimer. Assignee hereby agrees that any patent so granted on the '930 Patent Application shall be enforceable

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only for and during such period that it and the '938 Patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 and § 173 of the prior '938 patent, as the term of said prior patent is presently shortened by any Terminal Disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignee, the undersigned is the attorney of record.

The Commissioner is hereby authorized to charge the fee in the amount of \$65.00 to the credit card noted in the attached credit card payment form PTO-2038. Respectfully submitted,

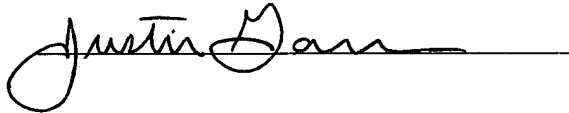


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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313-1450, this 7th day of March, 2006.

A handwritten signature in cursive script, reading "Justin Darr", is written over a horizontal line.